

REMARKS

The specification has been amended to add section headings.

Claim 2 has been amended solely as to form in response to the criticism in the Official Action.

Claims 1-12 were rejected as anticipated by RUSSELL et al. 4,810,096. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 1 includes, among other features, optical conversion elements that comprise light-receiving areas configured in a pattern which corresponds to the pattern of the test plate.

RUSSELL et al. disclose a test device with a standard microtitre plate 7 that has a pattern of 96 wells, and a movable reading head 19 with one light source 23 and one photodetector cell 25, where the reading head moves the light source and photodetector together from well to well to perform a test of the substance in the respectively illuminated well. There is but one optical conversion element (photodetector 25) that is not configured in a pattern at all, much less in a pattern that corresponds to the pattern of the 96 wells in the microtitre plate 7. Accordingly, the reference does not disclose optical conversion elements that comprise light-receiving areas configured in a pattern which corresponds to the pattern of the test plate and thus the claims avoid the rejection under §102.

The Official Action does not mention the claimed optical conversion elements that comprise light-receiving areas configured in a pattern which corresponds to the pattern of the test plate and does not point to any feature of RUSSELL et al. that may correspond to this limitation. Thus, the basis for the rejection under §102 is not apparent. If the rejection is repeated, it is respectfully requested that the action point out the feature in RUSSELL et al. that corresponds to this limitation.

New claims 13-14 have been added and consideration and allowance of the new claims are respectfully requested. Claim 13 is allowable because the RUSSELL et al. reference does not disclose a base plate that removably receives the test plate in a fixed positional relationship, where the base plate has plural optical conversion elements in a fixed pattern that corresponds to the fixed pattern of the plural test sites in the test plate, and where each of the optical conversion elements receives light from a respective different one of the test sites when the base plate is in the fixed positional relationship with the test plate. As explained above, RUSSELL et al. disclose one optical conversion element that is not configured in a pattern that corresponds to the pattern of the wells in the microtitre plate.

Claim 14 is allowable because RUSSELL et al. do not disclose a base plate that removably receives the test plate in a fixed positional relationship, where the base plate has the same

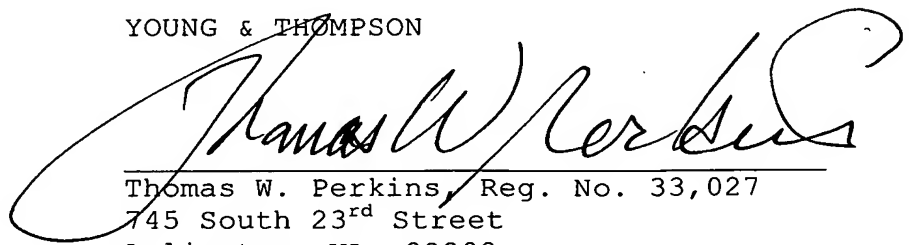
number of optical conversion elements in the same fixed pattern as the test plate, and where each of the test sites is in registration with a respective different one of the optical conversion elements when the base plate is in the fixed positional relationship with the test plate. RUSSELL et al. do not disclose that a base plate includes the same number of optical conversion elements as there are test sites in the same pattern.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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